

## **EXHIBIT O**

Switch Business Solutions, LLC's Responses to Cobalt's First Requests for  
Production

**RESP**

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*a Nevada limited company, et al.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

V5 TECHNOLOGIES, LLC, d/b/a COBALT  
DATA CENTERS,

Plaintiff,

v.

SWITCH, LTD., a Nevada limited company;  
SWITCH BUSINESS SOLUTIONS, LLC, a  
Nevada limited liability company; SWITCH  
COMMUNICATIONS GROUP L.L.C., a  
Nevada limited liability company; SWITCH,  
INC., a Nevada corporation,

Defendants.

CASE NO.: 2:17-cv-02349-KJD-NJK

**DEFENDANT, SWITCH BUSINESS SOLUTIONS, LLC's RESPONSES TO  
PLAINTIFF COBALT'S FIRST SET OF REQUESTS FOR PRODUCTION**

PROPOUNDING PARTY: V5 TECHNOLOGIES, LLC d/b/a COBALT DATA CENTERS

RESPONDING PARTY: SWITCH BUSINESS SOLUTIONS, LLC, Defendants herein;

COMES NOW Defendants SWITCH BUSINESS SOLUTIONS, LLC, ("SWITCH")

by and through their Attorneys, Samuel Castor and Anne-Marie Birk, counsel for Switch, and

hereby respond to Plaintiff, V5 Technologies, d/b/a, Cobalt Data Centers' (collectively,

hereinafter **COBALT**”) First Set of Requests for Production, states under oath, and in accordance with Rule 34 of the Federal Rules of Civil Procedure, as follows:

### **GENERAL OBJECTIONS**

1. Defendant objects to these Interrogatories and incorporates the same into the response to each of the following requests on the basis that the definitions, explanatory notes and instructions are so complex, numerous and burdensome that they create an unreasonable and undue burden upon Defendant. In addition, the definitions, explanatory notes and instructions cause the Requests for Production to reach an objectionable breadth, depth, ambiguity, complexity and vagueness, and call for information and/or documents which are irrelevant, not calculated to lead to the discovery of admissible evidence, are protected by the attorney-client privilege or attorney work-product doctrine (collectively “work product material”), are designed to harass and annoy, and are beyond the permissible scope of discovery.

2. Defendant objects to any REQUEST (“Request”), RESPONSE or response (“Response”) seeking information protected by the attorney-client privilege or the attorney work product doctrine.

3. Defendant objects to any Request or Response seeking information irrelevant to the subject matter of this action and not reasonably calculated to lead to the discovery of admissible evidence.

4. No response, nor subsequent response, constitutes a waiver of any other objection pursuant to these Interrogatories and requests or to other similar requests that may be propounded at a later.

5. Pursuant to FRCP 34(b)(2)(d), Defendant objects to any REQUEST or request that requires production in a form that risks or violates the safety or security of Defendants,

1 Defendant's clients, or Defendant's vendors operations, security, data integrity or  
2 confidentiality protocols.

3 6. Pursuant to FRCP 34(b)(2)(d), Defendant objects to any Request that fails  
4 specify a requested form of production. However, consistent with 5. Pursuant to FRCP  
5 34(b)(2)(D) and FRCP 24(e) Defendant will produce all requested data in OCR (readable)  
6 PDF format. 3

8 7. Defendant objects where each Request fails to identify scope as to time or  
9 duration, or seeks information which is readily available from publicly available sources.  
10 Subject to the general objections made above, which are incorporated by referenced into each  
11 of the following, Defendant responds to each Request as follows:

12 **RESPONSES TO REQUESTS FOR PRODUCTION**

13 **REQUEST NO. 1:**

14 All DOCUMENTS CONCERNING COBALT and/or COBALT CHEYENNE.

15 **RESPONSE:**

16 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a  
17 holding company that exists to hold Switch's certificate of public convenience with the Public  
18 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
19 more easily access public rights of way. Switch Business Solutions rarely if ever has  
20 contracted directly with customers and thus holds NO relevant documents to these  
21 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
22 is based on documents disclosed by Switch, Ltd. Objection, this Request is vague, ambiguous,  
23 overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade  
24 secret, and/or work product material. Discovery is ongoing and Defendant reserves the right to  
25 supplement this response. Moreover, the Request fails to identify scope as to time or duration,  
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1 or seeks information which is readily available from publicly available sources. The Request  
2 also fails to identify a requested form as such, any responsive documents (if any) will be  
3 produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP  
4 24(E). Notwithstanding the foregoing, Plaintiff will respond to this Request once it receives  
5 additional clarity regarding the same from Plaintiff. Without waiving said objection: See  
6 Defendant's Initial Disclosure documents, specifically SWITCH000001-000037,  
7 SWITCH000785-000797, SWITCH000842-000937. Additional documents may be disclosed  
8 pursuant to the terms of the protective order.  
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10 **REQUEST NO. 2:**

11 All DOCUMENTS CONCERNING COBALT's lease of the property on which  
12 COBALT CHEYENNE was located.  
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14 **RESPONSE:**

15 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
16 a holding company that exists to hold Switch's certificate of public convenience with the  
17 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
18 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
19 ever has contracted directly with customers and thus holds NO relevant documents to these  
20 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
21 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
22 overbroad, and unduly burdensome. In addition, this Request calls for documents in the  
23 possession of Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement  
24 this response. The Request also fails to identify a requested form as such, any responsive  
25 documents (if any) will be produced or have been in OCR (readable) PDF consistent with  
26 RCP 34(b)(2)(D) and RFCP 24(E). Without waiving said objection: None at this time. Should  
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1 any documents come to our attention, these will be produced for inspection pursuant to the  
2 terms of the protective order.

3 **REQUEST NO. 3:**

4 All COMMUNICATIONS between SWITCH and the lessor of the property on which  
5 COBALT CHEYENNE was located.

6 **RESPONSE:**

7  
8 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
9 a holding company that exists to hold Switch's certificate of public convenience with the  
10 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
11 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
12 ever has contracted directly with customers and thus holds NO relevant documents to these  
13 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
14 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
15 overbroad, and unduly burdensome. Moreover, the Request fails to identify scope as to time  
16 or duration. Notwithstanding the foregoing, Plaintiff will respond to this Request once it  
17 receives additional clarity regarding the same from Plaintiff. The Request also fails to identify  
18 a requested form as such, any responsive documents (if any) will be produced or have been in  
19 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Without waiving said  
20 objection: Switch has had no communications with the lessor of said property. Discovery is  
21 ongoing and Defendant reserves the right to supplement this response.  
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1           **REQUEST NO. 4:**

2           All DOCUMENTS CONCERNING VIA WEST LAS VEGAS.

3           **RESPONSE:**

4           Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
5 a holding company that exists to hold Switch's certificate of public convenience with the  
6 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
7 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
8 ever has contracted directly with customers and thus holds NO relevant documents to these  
9 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
10 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
11 overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade  
12 secret, and/or work product material, or material subject to protective order or ongoing  
13 litigation. Moreover, the Request fails to identify scope as to time or duration, or seeks  
14 information which is readily available from publicly available sources. Notwithstanding the  
15 foregoing, Plaintiff will respond to this Request once it receives additional clarity regarding  
16 the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement  
17 this response. The Request also fails to identify a requested form as such, any responsive  
18 documents (if any) will be produced or have been in OCR (readable) PDF consistent with  
19 RCP 34(b)(2)(D) and RFCP 24(E). Without waiving said objection: Objection, this Request is  
20 vague, ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
21 confidential, trade secret, and/or work product material. Discovery is ongoing and Defendant  
22 reserves the right to supplement this response. Without waiving said objection: See  
23 Defendant's Initial Disclosure documents, specifically SWITCH002540, SWITCH002550-  
24 002552. Defendant has additional materials that are subject to a protective order in an

1 unrelated litigation matter, but will provide the same once no longer subject to protective  
2 order.

3 **REQUEST NO. 5:**

4 All DOCUMENTS CONCERNING SWITCH LAS VEGAS's growth or expansion.

5 **RESPONSE:**

6  
7 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a  
8 holding company that exists to hold Switch's certificate of public convenience with the Public  
9 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
10 more easily access public rights of way. Switch Business Solutions rarely if ever has  
11 contracted directly with customers and thus holds NO relevant documents to these  
12 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
13 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
14 overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade  
15 secret, and/or work product material. Discovery is ongoing and Defendant reserves the right to  
16 supplement this response. Moreover, the Request fails to identify scope as to time or duration,  
17 or seeks information which is readily available from publicly available sources.  
18 Notwithstanding the foregoing, Plaintiff will respond to this Request once it receives  
19 additional clarity regarding the same from Plaintiff. Without waiving said objection: given the  
20 vague nature of this request, Switch is responding to the best of its ability. The Request also  
21 fails to identify a requested form as such, any responsive documents (if any) will be produced  
22 or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E).  
23 Without waiving said objection: See Defendant's Initial Disclosure documents, specifically  
24 SWITCH000054-000297, SWITCH000497, SWITCH000509-000520, SWITCH000526-  
25 000621, SWITCH000630-000667, SWITCH000686-000695, SWITCH000716- 000723.  
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**REQUEST NO. 6:**

All DOCUMENTS CONCERNING SWITCH's desire, intent, plan, or strategy to control, dominate, or monopolize any colocation data center market in LAS VEGAS.

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways and more easily access public rights of way. Switch Business Solutions rarely if ever has contracted directly with customers and thus holds NO relevant documents to these proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response is based on documents disclosed by Switch Ltd. Objection, this Request lacks foundation and Defendant rejects the premise of this Request. In addition this Request is vague, ambiguous, overbroad, and unduly burdensome. Moreover, the Request fails to identify scope as to time or duration, or seeks information which is readily available from publicly available sources. The Request also fails to identify a requested form as such, any responsive documents (if any) will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Given the faulted premise of this Request Defendant is unable to respond to this Request. Discovery is ongoing and Defendant reserves the right to supplement this response.

**REQUEST NO. 7:**

All DOCUMENTS CONCERNING SWITCH's desire, intent, plan, or strategy for any other colocation data center in LAS VEGAS to lose customers or business, to close, or not to expand or grow, or any prospective colocation data center not to open in LAS VEGAS.

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**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways and more easily access public rights of way. Switch Business Solutions rarely if ever has contracted directly with customers and thus holds NO relevant documents to these proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response is based on documents disclosed by Switch Ltd. Objection, this Request lacks foundation and Defendant rejects the premise of this request. Moreover, the Request fails to identify scope as to time or duration. The Request also fails to identify a requested form as such, any responsive documents (if any) will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will attempt to further respond to this Request once it receives additional clarity regarding the same from Plaintiff. In addition this Request is vague, ambiguous, overbroad, and unduly burdensome. Defendant is unable to respond to this Request. Discovery is ongoing and Defendant reserves the right to supplement this response.

**REQUEST NO. 8:**

All DOCUMENTS CONCERNING SWTTCH's desire, intent, plan, or strategy to acquire as customers for SWITCH LAS VEGAS any actual or prospective customers of any other colocation data center in LAS VEGAS.

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication

1 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
2 ever has contracted directly with customers and thus holds NO relevant documents to these  
3 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
4 is based on documents disclosed by Switch Ltd. Objection, this Request lacks foundation and  
5 Defendant rejects the premise of this request. In addition this Request is vague, ambiguous,  
6 overbroad, and unduly burdensome. Moreover, the Request fails to identify scope as to time  
7 or duration, or seeks information which is readily available from publicly available sources.  
8 The Request also fails to identify a requested form as such, any responsive documents (if any)  
9 will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and  
10 RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request  
11 once it receives additional clarity regarding the same from Plaintiff. Without waiving said  
12 objection, should any documents come to our attention, these will be produced for inspection  
13 pursuant to the terms of the protective order. Discovery is ongoing and Defendant reserves the  
14 right to supplement this response.

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17 **REQUEST NO. 9:**

18 All DOCUMENTS CONCERNING SWITCH LAS VEGAS's prices, including  
19 without limitation quotes, offers, bids, and contracted prices.

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21 **RESPONSE:**

22 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
23 a holding company that exists to hold Switch's certificate of public convenience with the  
24 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
25 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
26 ever has contracted directly with customers and thus holds NO relevant documents to these  
27 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
28

1 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
2 overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade  
3 secret, and/or work product material. Moreover, the Request fails to identify scope as to time  
4 or duration. The Request also fails to identify a requested form as such, any responsive  
5 documents (if any) will be produced or have been in OCR (readable) PDF consistent with  
6 RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further  
7 respond to this Request once it receives additional clarity regarding the same from Plaintiff.  
8 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
9 waiving said objection: given the vague nature of this request, Switch is responding to the best  
10 of its ability. Documents will be produced pursuant to the terms of the stipulated protective  
11 order.  
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14 **REQUEST NO. 10:**

15 All DOCUMENTS CONCERNING SWITCH LAS VEGAS's prices for cross-  
16 connects to third party facilities, including without limitation quotes, offers, bids, and  
17 contracted prices.  
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19 **RESPONSE:**

20 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a  
21 holding company that exists to hold Switch's certificate of public convenience with the Public  
22 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
23 more easily access public rights of way. Switch Business Solutions rarely if ever has  
24 contracted directly with customers and thus holds NO relevant documents to these  
25 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
26 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
27 overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade  
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1 secret, and/or work product material. Discovery is ongoing and Defendant reserves the right to  
2 supplement this response. Moreover, the Request fails to identify scope as to time or duration,  
3 or seeks information which is readily available from publicly available sources. The Request  
4 also fails to identify a requested form as such, any responsive documents (if any) will be  
5 produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP  
6 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request once it  
7 receives additional clarity regarding the same from Plaintiff. Without waiving said objection:  
8 given the vague nature of this request, Switch is responding to the best of its ability.  
9 Documents will be produced pursuant to the terms of the stipulated protective order.  
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11 **REQUEST NO. 11:**

12 All DOCUMENTS CONCERNING SWITCH LAS VEGAS's prices for internal  
13 cross-connects, including without limitation quotes, offers, bids, and contracted prices.  
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15 **RESPONSE:**

16 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a  
17 holding company that exists to hold Switch's certificate of public convenience with the Public  
18 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
19 more easily access public rights of way. Switch Business Solutions rarely if ever has  
20 contracted directly with customers and thus holds NO relevant documents to these  
21 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
22 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
23 overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade  
24 secret, and/or work product material. Moreover, the Request fails to identify scope as to time  
25 or duration, or seeks information which is readily available from publicly available sources.  
26 The Request also fails to identify a requested form as such, any responsive documents (if any)  
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1 will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and  
2 RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request  
3 once it receives additional clarity regarding the same from Plaintiff. Discovery is ongoing and  
4 Defendant reserves the right to supplement this response. Without waiving said objection:  
5 given the vague nature of this request, Switch is responding to the best of its ability.  
6 Documents will be produced pursuant to the terms of the stipulated protective order.  
7

8 **REQUEST NO. 12:**

9 All DOCUMENTS CONCERNING SWITCH LAS VEGAS's variable costs.

10 **RESPONSE:**

11 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a  
12 holding company that exists to hold Switch's certificate of public convenience with the Public  
13 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
14 more easily access public rights of way. Switch Business Solutions rarely if ever has  
15 contracted directly with customers and thus holds NO relevant documents to these  
16 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
17 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
18 overbroad, and unduly burdensome and seeks irrelevant information. In addition, this Request  
19 calls for confidential, trade secret, and/or work product material. Moreover, the Request fails  
20 to identify scope as to time or duration, or seeks information which is readily available from  
21 publicly available sources. The Request also fails to identify a requested form as such, any  
22 responsive documents (if any) will be produced or have been in OCR (readable) PDF  
23 consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff  
24 will further respond to this Request once it receives additional clarity regarding the same from  
25 Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement this response.  
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1 Without waiving said objection: given the vague nature of this request, Switch is responding  
2 to the best of its ability. Documents will be produced pursuant to the terms of the stipulated  
3 protective order.

4 **REQUEST NO. 13:**

5 All DOCUMENTS CONCERNING summary and/or analysis of SWITCH LAS  
6 VEGAS's revenues, costs, and/or profits.

7 **RESPONSE:**

8 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
9 a holding company that exists to hold Switch's certificate of public convenience with the  
10 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
11 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
12 ever has contracted directly with customers and thus holds NO relevant documents to these  
13 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
14 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
15 overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade  
16 secret, and/or work product material. Discovery is ongoing and Defendant reserves the right to  
17 supplement this response. Moreover, the Request fails to identify scope as to time or duration,  
18 or seeks information which is readily available from publicly available sources. The Request  
19 also fails to identify a requested form as such, any responsive documents (if any) will be  
20 produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP  
21 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request once it  
22 receives additional clarity regarding the same from Plaintiff. Without waiving said objection:  
23 given the vague nature of this request, Switch notes it made an initial public offering ("IPO")  
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1 on October 8, 2017 and these details are publicly available. See also Defendant's Initial  
2 Disclosure documents, specifically SWITCH000054-000297.

3 **REQUEST NO. 14:**

4 All DOCUMENTS CONCERNING any prices offered or charged by SWITCH LAS  
5 VEGAS for colocation data center products or services that were below the variable costs to  
6 SWITCH of providing those products or services. The time period applicable to this request is  
7 January 2013 through December 2015.  
8

9 **RESPONSE:**

10 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
11 a holding company that exists to hold Switch's certificate of public convenience with the  
12 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
13 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
14 ever has contracted directly with customers and thus holds NO relevant documents to these  
15 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
16 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
17 overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade  
18 secret, and/or work product material. Discovery is ongoing and Defendant reserves the right to  
19 supplement this response. The Request also fails to identify a requested form as such, any  
20 responsive documents (if any) will be produced or have been in OCR (readable) PDF  
21 consistent with RCP 34(b)(2)(D) and RFCP 24(E). Without waiving said objection: given the  
22 vague nature of this request, Switch is responding to the best of its ability: **None**. Should any  
23 documents come to our attention, these will be produced for inspection pursuant to the terms  
24 of the protective order.  
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**REQUEST NO. 15:**

All DOCUMENTS CONCERNING SWITCH LAS VEGAS giving or offering to give cabinet space to a customer or prospective customer for no charge.

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways and more easily access public rights of way. Switch Business Solutions rarely if ever has contracted directly with customers and thus holds NO relevant documents to these proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade secret, and/or work product material and seeks irrelevant information. Moreover, the Request fails to identify scope as to time or duration. The Request also fails to identify a requested form as such, any responsive documents (if any) will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request once it receives additional clarity regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement this response. Without waiving said objection: given the vague nature of this request, Switch is responding to the best of its ability. Documents will be produced pursuant to the terms of the stipulated protective order.

**REQUEST NO. 16:**

All DOCUMENTS CONCERNING any other LAS VEGAS colocation data center's prices, including without limitation quotes, offers, bids, and contracted prices.

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways and more easily access public rights of way. Switch Business Solutions rarely if ever has contracted directly with customers and thus holds NO relevant documents to these proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade secret, and/or work product material. Moreover, the Request fails to identify scope as to time or duration, or seeks information which is readily available from publicly available sources. The Request also fails to identify a requested form as such, any responsive documents (if any) will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request once it receives additional clarity regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement this response. Without waiving said objection: given the overbroad and vague nature of this request, Switch is unable to provide a response.

**REQUEST NO. 17:**

All DOCUMENTS CONCERNING both SWITCH LAS VEGAS's actual or quoted price(s) and any other LAS VEGAS colocation data center's actual or quoted price(s).

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways and

1 more easily access public rights of way. Switch Business Solutions rarely if ever has  
2 contracted directly with customers and thus holds NO relevant documents to these  
3 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
4 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
5 overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade  
6 secret, and/or work product material. Moreover, the Request fails to identify scope as to time  
7 or duration, or seeks information which is readily available from publicly available sources.  
8 The Request also fails to identify a requested form as such, any responsive documents (if any)  
9 will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and  
10 RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request  
11 once it receives additional clarity regarding the same from Plaintiff. Discovery is ongoing and  
12 Defendant reserves the right to supplement this response. Without waiving said objection:  
13 given the vague nature of this request, Switch is responding to the best of its ability.  
14 Documents will be produced pursuant to the terms of the stipulated protective order.

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17 **REQUEST NO. 18:**

18 ALL DOCUMENT CONCERNING SWITCH LAS VEGAS's refusal to allow a  
19 customer or prospective customer to cross-connect to third-party facilities, including but not  
20 limited to COBALT CHEYENNE.

21  
22 **RESPONSE:**

23 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
24 a holding company that exists to hold Switch's certificate of public convenience with the  
25 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
26 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
27 ever has contracted directly with customers and thus holds NO relevant documents to these  
28

1 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
2 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
3 overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade  
4 secret, and/or work product material. Discovery is ongoing and Defendant reserves the right to  
5 supplement this response. Moreover, the Request fails to identify scope as to time or duration,  
6 or seeks information which is readily available from publicly available sources. The Request  
7 also fails to identify a requested form as such, any responsive documents (if any) will be  
8 produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP  
9 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request once it  
10 receives additional clarity regarding the same from Plaintiff. Without waiving said objection:  
11 given the vague nature of this request, Switch is responding to the best of its ability. None at  
12 this time. Should any documents come to our attention, these will be produced for inspection  
13 pursuant to the terms of the protective order.

14  
15  
16 **REQUEST NO. 19:**

17 ALL DOCUMENT CONCERNING SWITCH LAS VEGAS's imposition of  
18 conditions on its consent to any customer or prospective customer establishing a  
19 cross-connect between SWITCH LAS VEGAS and third-party facilities, including but not  
20 limited to COBALT CHEYENNE.

21  
22 **RESPONSE:**

23 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a  
24 holding company that exists to hold Switch's certificate of public convenience with the Public  
25 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
26 more easily access public rights of way. Switch Business Solutions rarely if ever has  
27 contracted directly with customers and thus holds NO relevant documents to these  
28

1 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
2 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
3 overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade  
4 secret, and/or work product material. Discovery is ongoing and Defendant reserves the right to  
5 supplement this response. Moreover, the Request fails to identify scope as to time or duration,  
6 or seeks information which is readily available from publicly available sources. The Request  
7 also fails to identify a requested form as such, any responsive documents (if any) will be  
8 produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP  
9 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request once it  
10 receives additional clarity regarding the same from Plaintiff. Without waiving said objection:  
11 given the vague nature of this request, Switch is responding to the best of its ability. See  
12 Defendant's Initial Disclosure documents, specifically SWITCH000318-000494.

13  
14  
15 **REQUEST NO. 20:**

16 All DOCUMENTS CONCERNING the effect of COBALT's entry into the market in  
17 February 2013 on prices for colocation data center products and services in LAS VEGAS.

18  
19 **RESPONSE:**

20 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a  
21 holding company that exists to hold Switch's certificate of public convenience with the Public  
22 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
23 more easily access public rights of way. Switch Business Solutions rarely if ever has  
24 contracted directly with customers and thus holds NO relevant documents to these  
25 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
26 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
27 overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade  
28

1 secret, and/or work product material. Moreover, the Request fails to identify scope as to time  
2 or duration, or seeks information which is directly derived from Plaintiff's own creation or  
3 sources. The Request also fails to identify a requested form as such, any responsive  
4 documents (if any) will be produced or have been in OCR (readable) PDF consistent with  
5 RCP 34(b)(2)(D) and RFCP 24(E). The Request also fails to identify a requested form as  
6 such, any responsive documents (if any) will be produced or have been in OCR (readable)  
7 PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing,  
8 Plaintiff will further respond to this Request once it receives additional clarity regarding the  
9 same from Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement this  
10 response. Without waiving said objection: given the vague nature of this request, Switch is  
11 responding to the best of its ability. See Defendant's Initial Disclosure documents, specifically  
12 SWITCH000054-000297.  
13  
14

15 **REQUEST NO. 21:**

16 All DOCUMENTS CONCERNING the effect of COBALT's exit from the market in  
17 December 2015 on prices for colocation data center products and services in LAS VEGAS.  
18

19 **RESPONSE:**

20 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
21 a holding company that exists to hold Switch's certificate of public convenience with the  
22 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
23 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
24 ever has contracted directly with customers and thus holds NO relevant documents to these  
25 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
26 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
27 overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade  
28

1 secret, and/or work product material. Discovery is ongoing and Defendant reserves the right to  
2 supplement this response. Without waiving said objection responds: **None.**

3 **REQUEST NO. 22:**

4 All DOCUMENTS CONCERNING SWITCH LAS VEGAS's potential acquisition of  
5 COBALT.  
6

7 **RESPONSE:**

8 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
9 a holding company that exists to hold Switch's certificate of public convenience with the  
10 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
11 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
12 ever has contracted directly with customers and thus holds NO relevant documents to these  
13 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
14 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
15 overbroad, and unduly burdensome. Discovery is ongoing and Defendant reserves the right to  
16 supplement this response. Without waiving said objection: given the vague nature of this  
17 request, Switch is responding to the best of its ability. None at this time. Should any  
18 documents come to our attention, these will be produced for inspection pursuant to the terms  
19 of the protective order. See Defendant's Initial Disclosure documents, specifically  
20 SWITCH000785-000797; SWITCH000857-000936.  
21  
22

23 **REQUEST NO. 23:**

24 ALL contracts and agreements between any present or former customer of SWITCH  
25 LAS VEGAS that was also a former customer of COBALT.  
26

27 **RESPONSE:**  
28

1 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
2 a holding company that exists to hold Switch's certificate of public convenience with the  
3 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
4 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
5 ever has contracted directly with customers and thus holds NO relevant documents to these  
6 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
7 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
8 overbroad, and unduly burdensome. Discovery is ongoing and Defendant reserves the right to  
9 supplement this response. In addition, Switch has no reason to know who was/or is a former  
10 Cobalt customer. Moreover, the Request fails to identify scope as to time or duration, or seeks  
11 information which is readily available from publicly available sources, including  
12 [www.switch.com/clients](http://www.switch.com/clients). The Request also fails to identify a requested form as such, any  
13 responsive documents (if any) will be produced or have been in OCR (readable) PDF  
14 consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff  
15 will further respond to this Request once it receives additional clarity regarding the same from  
16 Plaintiff. Without waiving said objection: Switch is responding to the best of its ability. None  
17 at this time. Should any documents come to our attention, these will be produced for  
18 inspection pursuant to the terms of the protective order.

21  
22 **REQUEST NO. 24:**

23 SWITCH's Acceptable Use Policies from January 1, 2011 to the present.

24 **RESPONSE:**

25 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a  
26 holding company that exists to hold Switch's certificate of public convenience with the Public  
27 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
28



1 more easily access public rights of way. Switch Business Solutions rarely if ever has  
2 contracted directly with customers and thus holds NO relevant documents to these  
3 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
4 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
5 overbroad, and unduly burdensome. Discovery is ongoing and Defendant reserves the right to  
6 supplement this response. Without waiving said objection: See Defendant's Initial Disclosure  
7 documents, specifically SWITCH000318-000488.

9 **REQUEST NO. 25:**

10 SWITCH's Carrier Access Agreements from January 1, 2011 to the present.

11 **RESPONSE:**

12 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a  
13 holding company that exists to hold Switch's certificate of public convenience with the Public  
14 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
15 more easily access public rights of way. Switch Business Solutions rarely if ever has  
16 contracted directly with customers and thus holds NO relevant documents to these  
17 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
18 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
19 overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade  
20 secret, and/or work product material, as well as irrelevant material. Discovery is ongoing and  
21 Defendant reserves the right to supplement this response. Without waiving said objection:  
22 Documents and contracts related to CenturyLink and Zayo, relevant to Plaintiff's Complaint,  
23 have been identified and if production is not objected to by these carriers, such documents be  
24 produced pursuant to the terms of the stipulated protective order.

25  
26  
27  
28 ///

**REQUEST NO. 26:**

SWITCH's Data Center Partnership Agreements from January 1, 2011 to the present.

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways and more easily access public rights of way. Switch Business Solutions rarely if ever has contracted directly with customers and thus holds NO relevant documents to these proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade secret, and/or work product material. Discovery is ongoing and Defendant reserves the right to supplement this response. Without waiving said objection: Documents and contracts related to CenturyLink and Zayo, relevant to Plaintiff's Complaint, have been identified and if production is not objected to by these carriers, such documents be produced pursuant to the terms of the stipulated protective order.

**REQUEST NO. 27:**

All DOCUMENTS CONCERNING connectivity terms-including without limitation terms CONCERNING cross-connects, customer connectivity, connections that could compete with SWITCH's business interests, connections with other data centers, and pass-through connections-in SWITCH's Acceptable Use Policy, including without limitation their purpose and effects, drafts or prior versions, COMMUNICATIONS CONCERNING such terms, and enforcement or threatened enforcement of such terms.

///

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways and more easily access public rights of way. Switch Business Solutions rarely if ever has contracted directly with customers and thus holds NO relevant documents to these proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade secret, and/or work product material. Discovery is ongoing and Defendant reserves the right to supplement this response. Moreover, the Request fails to identify scope as to time or duration. The Request also fails to identify a requested form as such, any responsive documents (if any) will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request once it receives additional clarity regarding the same from Plaintiff. Without waiving said objection: Documents and contracts related to CenturyLink and Zayo, relevant to Plaintiff's Complaint, have been identified and if production is not objected to by these carriers, such documents be produced pursuant to the terms of the stipulated protective order.

**REQUEST NO. 28:**

All DOCUMENTS CONCERNING SWITCH's "competitive data center canier interconnections" as that term is used in SWITCH's 2013 Acceptable Use Policy.

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the

1 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
2 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
3 ever has contracted directly with customers and thus holds NO relevant documents to these  
4 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
5 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
6 overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade  
7 secret, and/or work product material. Moreover, the Request fails to identify scope as to time  
8 or duration. The Request also fails to identify a requested form as such, any responsive  
9 documents (if any) will be produced or have been in OCR (readable) PDF consistent with  
10 RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further  
11 respond to this Request once it receives additional clarity regarding the same from Plaintiff.  
12 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
13 waiving said objection: See Defendant's Initial Disclosure documents, specifically  
14 SWITCH000318-000488 and SWITCH000054-000297.

15  
16  
17 **REQUEST NO. 29:**

18 All DOCUMENTS CONCERNING the term in SWITCH's 2013 Acceptable Use  
19 Policy that "no entities having business dealings (vendors or clients) with Cobalt shall be  
20 permitted to enter or work with the Switch Ecosystem," including without limitation its  
21 purpose and effects, drafts or prior versions, COMMUNICATIONS CONCERNING the term,  
22 and enforcement or threatened enforcement of the term.

23  
24 **RESPONSE:**

25 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
26 a holding company that exists to hold Switch's certificate of public convenience with the  
27 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
28

1 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
2 ever has contracted directly with customers and thus holds NO relevant documents to these  
3 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
4 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
5 overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade  
6 secret, and/or work product material. Moreover, the Request fails to identify scope as to time  
7 or duration, or seeks information which is directly derived from Plaintiff's own creation or  
8 sources. The Request also fails to identify a requested form as such, any responsive  
9 documents (if any) will be produced or have been in OCR (readable) PDF consistent with  
10 RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further  
11 respond to this Request once it receives additional clarity regarding the same from Plaintiff.  
12 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
13 waiving said objection: None at this time. Should any documents come to our attention, these  
14 will be produced for inspection pursuant to the terms of the protective order.

15  
16  
17 **REQUEST NO. 30:**

18 All DOCUMENTS CONCERNING any COMMUNICATIONS between SWITCH  
19 and SIL VERBACK CONCERNING the possibility that SWITCH might not or would not  
20 deal, in whole or part, with SIL VERBACK if SIL VERBACK dealt with COBALT.  
21

22 **RESPONSE:**

23 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a  
24 holding company that exists to hold Switch's certificate of public convenience with the Public  
25 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
26 more easily access public rights of way. Switch Business Solutions rarely if ever has  
27 contracted directly with customers and thus holds NO relevant documents to these  
28

1 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
2 is based on documents disclosed by Switch Ltd. Objection, this Request is vague, ambiguous,  
3 overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade  
4 secret, and/or work product material. Moreover, the Request fails to identify scope as to time  
5 or duration, or seeks information which is directly derived from Plaintiff's own creation or  
6 sources. The Request also fails to identify a requested form as such, any responsive  
7 documents (if any) will be produced or have been in OCR (readable) PDF consistent with  
8 RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further  
9 respond to this Request once it receives additional clarity regarding the same from Plaintiff.  
10 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
11 waiving said objection Defendant notes this Request seeks confidential third party data which  
12 is subject to the stipulated protective order. Switch has or will contact the third party(ies)  
13 identified above to ensure their rights are maintained under the stipulated protective order and  
14 to the extent Switch has any responsive documents Switch will produce the same, if allowed,  
15 pursuant to the terms of the stipulated protective order.  
16  
17

18  
19 **REQUEST NO. 31:**

20 All DOCUMENTS CONCERNING both SILVERBACK and COBALT.

21 **RESPONSE:**

22 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
23 a holding company that exists to hold Switch's certificate of public convenience with the  
24 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
25 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
26 ever has contracted directly with customers and thus holds NO relevant documents to these  
27 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
28

1 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
2 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
3 confidential, trade secret, and/or work product material. Moreover, the Request fails to  
4 identify scope as to time or duration, or seeks information which is directly derived from  
5 Plaintiff's own creation or sources. The Request also fails to identify a requested form as  
6 such, any responsive documents (if any) will be produced or have been in OCR (readable)  
7 PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing,  
8 Plaintiff will further respond to this Request once it receives additional clarity regarding the  
9 same from Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement this  
10 response. Without waiving said objection Defendant notes this Request seeks confidential  
11 third party data which is subject to the stipulated protective order. Switch has or will contact  
12 the third party(ies) identified above to ensure their rights are maintained under the stipulated  
13 protective order and to the extent Switch has any responsive documents Switch will produce  
14 the same, if allowed, pursuant to the terms of the stipulated protective order.  
15  
16

17 **REQUEST NO. 32:**

18 All DOCUMENTS CONCERNING any COMMUNICATIONS between SWITCH  
19 and any colocation data center sales or insurance broker CONCERNING the possibility that  
20 SWITCH might not or would not deal, in whole or part, with the broker if the broker dealt  
21 with any other colocation data center in LAS VEGAS, including without limitation COBALT.  
22

23 **RESPONSE:**

24 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
25 a holding company that exists to hold Switch's certificate of public convenience with the  
26 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
27 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
28

1 ever has contracted directly with customers and thus holds NO relevant documents to these  
2 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
3 is based on documents disclosed by Switch Ltd. Objection, this Request is duplicative (See  
4 Request 31), compound, vague, ambiguous, overbroad, and unduly burdensome. In addition,  
5 this Request calls for confidential, trade secret, and/or work product material. Moreover, the  
6 Request fails to identify scope as to time or duration. The Request also fails to identify a  
7 requested form as such, any responsive documents (if any) will be produced or have been in  
8 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
9 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
10 regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to  
11 supplement this response. Without waiving said objection: **None**. Defendant notes this  
12 Request seeks confidential third party data which is subject to the stipulated protective order.  
13 Switch has or will contact the third party(ies) identified above to ensure their rights are  
14 maintained under the stipulated protective order and to the extent Switch has any responsive  
15 documents Switch will produce the same, if allowed, pursuant to the terms of the stipulated  
16 protective order. Should any documents come to our attention, these will be produced for  
17 inspection pursuant to the terms of the protective order.

21 **REQUEST NO. 33:**

22 All DOCUMENTS CONCERNING both COBALT and colocation data center sales or  
23 insurance broker(s).

24 **RESPONSE:**

25 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
26 a holding company that exists to hold Switch's certificate of public convenience with the  
27 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
28



1 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
2 ever has contracted directly with customers and thus holds NO relevant documents to these  
3 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
4 is based on documents disclosed by Switch Ltd. Objection, this Request is duplicative (See  
5 Request 31), compound, vague, ambiguous, overbroad, and unduly burdensome. In addition,  
6 this Request calls for confidential, trade secret, and/or work product material. Moreover, the  
7 Request fails to identify scope as to time or duration. The Request also fails to identify a  
8 requested form as such, any responsive documents (if any) will be produced or have been in  
9 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
10 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
11 regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to  
12 supplement this response. Without waiving said objection: **None**. Without waiving said  
13 objection Defendant notes this Request seeks confidential third party data which is subject to  
14 the stipulated protective order. Switch has or will contact the third party(ies) identified above  
15 to ensure their rights are maintained under the stipulated protective order and to the extent  
16 Switch has any responsive documents Switch will produce the same, if allowed, pursuant to  
17 the terms of the stipulated protective order. Should any documents come to our attention,  
18 these will be produced for inspection pursuant to the terms of the protective order.

21  
22 **REQUEST NO. 34:**

23 All DOCUMENTS CONCERNING any COMMUNICATIONS between SWITCH  
24 and TBAN CONCERNING the possibility that SWITCH might or would withdraw or not  
25 provide resources or support to TBAN if TBAN allowed any PERSON associated or affiliated  
26 with COBALT to participate in TBAN.

27  
28 ///

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways and more easily access public rights of way. Switch Business Solutions rarely if ever has contracted directly with customers and thus holds NO relevant documents to these proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response is based on documents disclosed by Switch Ltd. Objection, this Request is duplicative (See Request 31), compound, vague, ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade secret, and/or work product material. Moreover, the Request fails to identify scope as to time or duration. The Request also fails to identify a requested form as such, any responsive documents (if any) will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request once it receives additional clarity regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement this response. Without waiving said objection: See Defendant's Initial Disclosure documents, specifically SWITCH002012-002552. Should any documents come to our attention, these will be produced for inspection pursuant to the terms of the protective order.

**REQUEST NO. 35:**

All DOCUMENTS CONCERNING both TBAN and COBALT.

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication

1 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
2 ever has contracted directly with customers and thus holds NO relevant documents to these  
3 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
4 is based on documents disclosed by Switch Ltd. Objection, this Request is duplicative (See  
5 Request 31), compound, vague, ambiguous, overbroad, and unduly burdensome. In addition,  
6 this Request calls for confidential, trade secret, and/or work product material. Moreover, the  
7 Request fails to identify scope as to time or duration, or seeks information which is directly  
8 derived from Plaintiff's own files. The Request also fails to identify a requested form as such,  
9 any responsive documents (if any) will be produced or have been in OCR (readable) PDF  
10 consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff  
11 will further respond to this Request once it receives additional clarity regarding the same from  
12 Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement this response.  
13 Without waiving said objection: See Defendant's Initial Disclosure documents, specifically  
14 SWITCH002012-002552.  
15  
16

17 **REQUEST NO. 36:**

18 All DOCUMENTS CONCERNING any COMMUNICATIONS CONCERNING  
19 COBALT between SWITCH and OPPORTUNITY VILLAGE.  
20

21 **RESPONSE:**

22 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a  
23 holding company that exists to hold Switch's certificate of public convenience with the Public  
24 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
25 more easily access public rights of way. Switch Business Solutions rarely if ever has  
26 contracted directly with customers and thus holds NO relevant documents to these  
27 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
28

1 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
2 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
3 confidential, trade secret, and/or work product material. Discovery is ongoing and Defendant  
4 reserves the right to supplement this response. Moreover, the Request fails to identify scope as  
5 to time or duration. The Request also fails to identify a requested form as such, any responsive  
6 documents (if any) will be produced or have been in OCR (readable) PDF consistent with  
7 RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further  
8 respond to this Request once it receives additional clarity regarding the same from Plaintiff.  
9 Without waiving said objection Defendant notes this Request seeks confidential third party  
10 data which is subject to the stipulated protective order. Switch has or will contact the third  
11 party(ies) identified above to ensure their rights are maintained under the stipulated protective  
12 order and to the extent Switch has any responsive documents Switch will produce the same, if  
13 allowed, pursuant to the terms of the stipulated protective order.  
14

15  
16 **REQUEST NO. 37:**

17 All DOCUMENTS CONCERNING both OPPORTUNITY VILLAGE and COBALT.  
18

19 **RESPONSE:**

20 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a  
21 holding company that exists to hold Switch's certificate of public convenience with the Public  
22 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
23 more easily access public rights of way. Switch Business Solutions rarely if ever has  
24 contracted directly with customers and thus holds NO relevant documents to these  
25 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
26 is based on documents disclosed by Switch Ltd. Objection, this Request is duplicative (See  
27 Request 31), compound, vague, ambiguous, overbroad, and unduly burdensome. In addition,  
28

1 this Request calls for confidential, trade secret, and/or work product material. Moreover, the  
2 Request fails to identify scope as to time or duration, or seeks information which is readily  
3 accessible from Plaintiff's own files. The Request also fails to identify a requested form as  
4 such, any responsive documents (if any) will be produced or have been in OCR (readable)  
5 PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing,  
6 Plaintiff will further respond to this Request once it receives additional clarity regarding the  
7 same from Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement this  
8 response. Without waiving said objection Defendant notes this Request seeks confidential  
9 third party data which is subject to the stipulated protective order. Switch has or will contact  
10 the third party(ies) identified above to ensure their rights are maintained under the stipulated  
11 protective order and to the extent Switch has any responsive documents Switch will produce  
12 the same, if allowed, pursuant to the terms of the stipulated protective order.  
13  
14

15 **REQUEST NO. 38:**

16 All DOCUMENTS CONCERNING any potential partnerships, contracts, agreements,  
17 or understandings between OPPORTUNITY VILLAGE and COBALT.  
18

19 **RESPONSE:**

20 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
21 a holding company that exists to hold Switch's certificate of public convenience with the  
22 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
23 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
24 ever has contracted directly with customers and thus holds NO relevant documents to these  
25 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
26 is based on documents disclosed by Switch Ltd. Objection, this Request is duplicative (See  
27 Request 31), compound, vague, ambiguous, overbroad, unduly burdensome, and requests  
28

1 documents best produced by Plaintiff. In addition, this Request calls for confidential, trade  
2 secret, and/or work product material. Moreover, the Request fails to identify scope as to time  
3 or duration, or seeks information which is readily accessible from Plaintiff's own files. The  
4 Request also fails to identify a requested form as such, any responsive documents (if any) will  
5 be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP  
6 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request once it  
7 receives additional clarity regarding the same from Plaintiff. Discovery is ongoing and  
8 Defendant reserves the right to supplement this response. Without waiving said objection:  
9 None at this time. Defendant notes this Request seeks confidential third party data which is  
10 subject to the stipulated protective order. Switch has or will contact the third party(ies)  
11 identified above to ensure their rights are maintained under the stipulated protective order and  
12 to the extent Switch has any responsive documents Switch will produce the same, if allowed,  
13 pursuant to the terms of the stipulated protective order.  
14

15  
16 **REQUEST NO. 39:**

17 All DOCUMENTS CONCERNING any COMMUNICATIONS between SWITCH  
18 and OPPORTUNITY VILLAGE CONCERNING the possibility that SWITCH might or  
19 would withdraw or not provide resources or support to OPPORTUNITY VILLAGE, or might  
20 not or would not deal, in whole or part, with OPPORTUNITY VILLAGE, if OPPORTUNITY  
21 VILLAGE dealt with any other colocation data center in LAS VEGAS, including without  
22 limitation COBALT.  
23

24 **RESPONSE:**

25 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
26 a holding company that exists to hold Switch's certificate of public convenience with the  
27 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
28

1 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
2 ever has contracted directly with customers and thus holds NO relevant documents to these  
3 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
4 is based on documents disclosed by Switch Ltd. Objection, this Request is duplicative (See  
5 Request 31), compound, vague, ambiguous, overbroad, and unduly burdensome. In addition,  
6 this Request calls for confidential, trade secret, and/or work product material. Discovery is  
7 ongoing and Defendant reserves the right to supplement this response. Without waiving said  
8 objection: None. Without waiving said objection Defendant notes this Request seeks  
9 confidential third party data which is subject to the stipulated protective order. Switch has or  
10 will contact the third party(ies) identified above to ensure their rights are maintained under the  
11 stipulated protective order and to the extent Switch has any responsive documents Switch will  
12 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
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14

15 **REQUEST NO. 40:**

16 ALL DOCUMENTS CONCERNING any COMMUNICATIONS CONCERNING  
17 COBALT between SWITCH and the GOED.  
18

19 **RESPONSE:**

20 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
21 a holding company that exists to hold Switch's certificate of public convenience with the  
22 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
23 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
24 ever has contracted directly with customers and thus holds NO relevant documents to these  
25 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
26 is based on documents disclosed by Switch Ltd. Objection, this Request is duplicative (See  
27 Request 31), compound, vague, ambiguous, overbroad, and unduly burdensome. In addition,  
28

1 this Request calls for confidential, trade secret, and/or work product material. Moreover, the  
2 Request fails to identify scope as to time or duration, or seeks information which is either  
3 publicly available or readily accessible from Plaintiff's own files. The Request also fails to  
4 identify a requested form as such, any responsive documents (if any) will be produced or have  
5 been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E).  
6 Notwithstanding the foregoing, Plaintiff will further respond to this Request once it receives  
7 additional clarity regarding the same from Plaintiff. Discovery is ongoing and Defendant  
8 reserves the right to supplement this response. Without waiving said objection: Documents  
9 will be produced pursuant to the terms of the stipulated protective order.  
10

11 **REQUEST NO. 41:**

12 All DOCUMENTS CONCERNING both the GOED and COBALT.

13 **RESPONSE:**

14 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
15 a holding company that exists to hold Switch's certificate of public convenience with the  
16 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
17 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
18 ever has contracted directly with customers and thus holds NO relevant documents to these  
19 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
20 is based on documents disclosed by Switch Ltd. Objection, this Request is duplicative (See  
21 Request 31), compound, vague, ambiguous, overbroad, and unduly burdensome. In addition,  
22 this Request calls for confidential, trade secret, and/or work product material. Moreover, the  
23 Request fails to identify scope as to time or duration, or seeks information which is readily  
24 accessible from Plaintiff's own files. The Request also fails to identify a requested form as  
25 such, any responsive documents (if any) will be produced or have been in OCR (readable)  
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1 PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing,  
2 Plaintiff will further respond to this Request once it receives additional clarity regarding the  
3 same from Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement this  
4 response. Without waiving said objection: Defendant notes this Request seeks confidential  
5 third party data which is subject to the stipulated protective order. Switch has or will contact  
6 the third party(ies) identified above to ensure their rights are maintained under the stipulated  
7 protective order and to the extent Switch has any responsive documents Switch will produce  
8 the same, if allowed, pursuant to the terms of the stipulated protective order.  
9

10 **REQUEST NO. 42:**

11 All DOCUMENTS CONCERNING any COMMUNICATIONS between COBALT  
12 and the GOED, any potential involvement by COBALT in the GOED, or any potential  
13 development opportunities for COBALT with the GOED.  
14

15 **RESPONSE:**

16 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
17 a holding company that exists to hold Switch's certificate of public convenience with the  
18 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
19 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
20 ever has contracted directly with customers and thus holds NO relevant documents to these  
21 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
22 is based on documents disclosed by Switch Ltd. Objection, this Request is duplicative (See  
23 Request 31), compound (comprises three separate requests), vague, ambiguous, overbroad,  
24 and unduly burdensome. In addition, this Request calls for confidential, trade secret, and/or  
25 work product material. Moreover, the Request fails to identify scope as to time or duration, or  
26 seeks information which is readily accessible from Plaintiff's own files. The Request also fails  
27  
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1 to identify a requested form as such, any responsive documents (if any) will be produced or  
2 have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E).  
3 Notwithstanding the foregoing, Plaintiff will further respond to this Request once it receives  
4 additional clarity regarding the same from Plaintiff. Discovery is ongoing and Defendant  
5 reserves the right to supplement this response. Without waiving said objection: None at this  
6 time. Defendant notes this Request seeks confidential third party data which is subject to the  
7 stipulated protective order. Switch has or will contact the third party(ies) identified above to  
8 ensure their rights are maintained under the stipulated protective order and to the extent  
9 Switch has any responsive documents Switch will produce the same, if allowed, pursuant to  
10 the terms of the stipulated protective order.  
11

12  
13 **REQUEST NO. 43:**

14 All DOCUMENTS CONCERNING any COMMUNICATIONS between SWITCH  
15 and any actual or prospective SWITCH LAS VEGAS customer CONCERNING the  
16 possibility that SWITCH might not or would not deal, in whole or part, with the customer if  
17 the customer dealt with any other colocation data center in LAS VEGAS, including without  
18 limitation COBALT.  
19

20 **RESPONSE:**

21 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
22 a holding company that exists to hold Switch's certificate of public convenience with the  
23 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
24 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
25 ever has contracted directly with customers and thus holds NO relevant documents to these  
26 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
27 is based on documents disclosed by Switch Ltd. Objection, this Request is duplicative (See  
28

1 Request 31), compound, vague, ambiguous, overbroad, and unduly burdensome. In addition,  
2 this Request calls for confidential, trade secret, and/or work product material. Moreover, the  
3 Request fails to identify scope as to time or duration. The Request also fails to identify a  
4 requested form as such, any responsive documents (if any) will be produced or have been in  
5 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
6 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
7 regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to  
8 supplement this response. Without waiving said objection: See Defendant's Initial Disclosure  
9 documents, specifically SWITCH000318-000488. Defendant notes this Request could be  
10 construed to seek confidential third party data which is subject to the stipulated protective  
11 order. Switch has or will contact the third party(ies) identified above to ensure their rights are  
12 maintained under the stipulated protective order and to the extent Switch has any responsive  
13 documents Switch will produce the same, if allowed, pursuant to the terms of the stipulated  
14 protective order.

15  
16  
17 **REQUEST NO. 44:**

18 All DOCUMENTS CONCERNING any COMMUNICATIONS between SWITCH  
19 and any actual or prospective SWITCH LAS VEGAS customer CONCERNING the  
20 possibility that SWITCH might not or would not provide the customer with connections to  
21 SWITCH LAS VEGAS if the customer dealt with any other colocation data center in LAS  
22 VEGAS, including without limitation COBALT.

23  
24 **RESPONSE:**

25 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a  
26 holding company that exists to hold Switch's certificate of public convenience with the Public  
27 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
28

1 more easily access public rights of way. Switch Business Solutions rarely if ever has  
2 contracted directly with customers and thus holds NO relevant documents to these  
3 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
4 is based on documents disclosed by Switch Ltd. Objection, this Request is is duplicative (See  
5 Request 31), compound, vague, ambiguous, overbroad, and unduly burdensome. In addition,  
6 this Request calls for confidential, trade secret, and/or work product material. Moreover, the  
7 Request fails to identify scope as to time or duration. The Request also fails to identify a  
8 requested form as such, any responsive documents (if any) will be produced or have been in  
9 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
10 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
11 regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to  
12 supplement this response. Without waiving said objection: None at this time. Defendant notes  
13 this Request could be construed to seek confidential third party data which is subject to the  
14 stipulated protective order. Switch has or will contact the third party(ies) identified above to  
15 ensure their rights are maintained under the stipulated protective order and to the extent  
16 Switch has any responsive documents Switch will produce the same, if allowed, pursuant to  
17 the terms of the stipulated protective order.

21 **REQUEST NO. 45:**

22 All DOCUMENTS CONCERNING both COBALT and any actual or prospective  
23 SWITCH LAS VEGAS customer.

24 **RESPONSE:**

25 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a  
26 holding company that exists to hold Switch's certificate of public convenience with the Public  
27 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
28

1 more easily access public rights of way. Switch Business Solutions rarely if ever has  
2 contracted directly with customers and thus holds NO relevant documents to these  
3 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
4 is based on documents disclosed by Switch Ltd. Objection, this Request is duplicative (See  
5 Request 31), compound, vague, ambiguous, overbroad, and unduly burdensome. In addition,  
6 this Request calls for confidential, trade secret, and/or work product material. Discovery is  
7 ongoing and Defendant reserves the right to supplement this response. Moreover, the Request  
8 fails to identify scope as to time or duration, or seeks information which is readily accessible  
9 from Plaintiff's own files. The Request also fails to identify a requested form as such, any  
10 responsive documents (if any) will be produced or have been in OCR (readable) PDF  
11 consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff  
12 will further respond to this Request once it receives additional clarity regarding the same from  
13 Plaintiff. Without waiving said objection: Documents will be produced pursuant to the terms  
14 of the stipulated protective order. Defendant notes this Request could be construed to seek  
15 confidential third party data which is subject to the stipulated protective order. Switch has or  
16 will contact the third party(ies) identified above to ensure their rights are maintained under the  
17 stipulated protective order and to the extent Switch has any responsive documents Switch will  
18 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
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21

22 **REQUEST NO. 46:**

23 All DOCUMENTS CONCERNING the actual or prospective provision of colocation  
24 data center products or services by any colocation data center in LAS VEGAS, including  
25 without limitation SWITCH LAS VEGAS or COBALT CHEYENNE, to CANNERY  
26 CASINO.  
27

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**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways and more easily access public rights of way. Switch Business Solutions rarely if ever has contracted directly with customers and thus holds NO relevant documents to these proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague, ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade secret, and/or work product material. Moreover, the Request fails to identify scope as to time or duration. The Request also fails to identify a requested form as such, any responsive documents (if any) will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request once it receives additional clarity regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement this response. Without waiving said objection: Documents will be produced pursuant to the terms of the stipulated protective order. Defendant notes this Request could be construed to seek confidential third party data which is subject to the stipulated protective order. Switch has or will contact the third party(ies) identified above to ensure their rights are maintained under the stipulated protective order and to the extent Switch has any responsive documents Switch will produce the same, if allowed, pursuant to the terms of the stipulated protective order.

**REQUEST NO. 47:**

All DOCUMENTS CONCERNING any COMMUNICATIONS between SWITCH and CANNERY CASINO CONCERNING the possibility that SWITCH might not or would

1 not deal, in whole or part, with CANNERY CASINO if CANNERY CASINO dealt with  
2 COBALT.

3 **RESPONSE:**

4 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
5 a holding company that exists to hold Switch's certificate of public convenience with the  
6 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
7 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
8 ever has contracted directly with customers and thus holds NO relevant documents to these  
9 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
10 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
11 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
12 confidential, trade secret, and/or work product material. Moreover, the Request fails to  
13 identify scope as to time or duration. Discovery is ongoing and Defendant reserves the right to  
14 supplement this response. Without waiving said objection: None at this time. Should any  
15 documents come to our attention, these will be produced for inspection pursuant to the terms  
16 of the protective order. Defendant notes this Request could be construed to seek confidential  
17 third party data which is subject to the stipulated protective order. Switch has or will contact  
18 the third party(ies) identified above to ensure their rights are maintained under the stipulated  
19 protective order and to the extent Switch has any responsive documents Switch will produce  
20 the same, if allowed, pursuant to the terms of the stipulated protective order.

21 **REQUEST NO. 48:**

22 All DOCUMENTS CONCERNING any COMMUNICATIONS between SWITCH  
23 and CANNERY CASINO CONCERNING the possibility that SWITCH might not or would  
24

1 not provide CANNERY CASINO with connections to SWITCH LAS VEGAS if CANNERY  
2 CASINO dealt with COBALT.

3 **RESPONSE:**

4 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
5 a holding company that exists to hold Switch's certificate of public convenience with the  
6 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
7 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
8 ever has contracted directly with customers and thus holds NO relevant documents to these  
9 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
10 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
11 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
12 confidential, trade secret, and/or work product material. Moreover, the Request fails to  
13 identify scope as to time or duration. Discovery is ongoing and Defendant reserves the right to  
14 supplement this response. Without waiving said objection: None at this time. Should any  
15 documents come to our attention, these will be produced for inspection pursuant to the terms  
16 of the protective order. Defendant notes this Request could be construed to seek confidential  
17 third party data which is subject to the stipulated protective order. Switch has or will contact  
18 the third party(ies) identified above to ensure their rights are maintained under the stipulated  
19 protective order and to the extent Switch has any responsive documents Switch will produce  
20 the same, if allowed, pursuant to the terms of the stipulated protective order.

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1           **REQUEST NO. 49:**

2           All DOCUMENTS CONCERNING both CANNERY CASINO and COBALT.

3           **RESPONSE:**

4           Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
5 a holding company that exists to hold Switch's certificate of public convenience with the  
6 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
7 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
8 ever has contracted directly with customers and thus holds NO relevant documents to these  
9 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
10 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
11 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
12 confidential, trade secret, and/or work product material. Discovery is ongoing and Defendant  
13 reserves the right to supplement this response. Without waiving said objection: None at this  
14 time. Should any documents come to our attention, these will be produced for inspection  
15 pursuant to the terms of the protective order.  
16

17           **REQUEST NO. 50:**

18           All DOCUMENTS CONCERNING the actual or prospective provision of colocation  
19 data center products or services by any colocation data center in LAS VEGAS, including  
20 without limitation SWITCH LAS VEGAS or COBALT CHEYENNE, to DARPA.

21           **RESPONSE:**

22           Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
23 a holding company that exists to hold Switch's certificate of public convenience with the  
24 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
25 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
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1 ever has contracted directly with customers and thus holds NO relevant documents to these  
2 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
3 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
4 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
5 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
6 Request fails to identify scope as to time or duration. The Request also fails to identify a  
7 requested form as such, any responsive documents (if any) will be produced or have been in  
8 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
9 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
10 regarding the same from Plaintiff. Defendant notes this Request could be construed to seek  
11 confidential third party data which is subject to the stipulated protective order. Switch has or  
12 will contact the third party(ies) identified above to ensure their rights are maintained under the  
13 stipulated protective order and to the extent Switch has any responsive documents Switch will  
14 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
15 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
16 waiving said objection: Documents will be produced pursuant to the terms of the stipulated  
17 protective order.

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21 **REQUEST NO. 51:**

22 All DOCUMENTS CONCERNING DARPA federal contract opportunity DARPA-  
23 SN-15-49.

24 **RESPONSE:**

25 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
26 a holding company that exists to hold Switch's certificate of public convenience with the  
27 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
28

1 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
2 ever has contracted directly with customers and thus holds NO relevant documents to these  
3 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
4 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
5 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
6 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
7 Request fails to identify scope as to time or duration. The Request also fails to identify a  
8 requested form as such, any responsive documents (if any) will be produced or have been in  
9 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
10 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
11 regarding the same from Plaintiff. Defendant notes this Request could be construed to seek  
12 confidential third party data which is subject to the stipulated protective order. Switch has or  
13 will contact the third party(ies) identified above to ensure their rights are maintained under the  
14 stipulated protective order and to the extent Switch has any responsive documents Switch will  
15 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
16 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
17 waiving said objection: Documents will be produced pursuant to the terms of the stipulated  
18 protective order.

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21  
22 **REQUEST NO. 52:**

23 All DOCUMENTS CONCERNING both DARPA and COBALT.

24 **RESPONSE:**

25 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a  
26 holding company that exists to hold Switch's certificate of public convenience with the Public  
27 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
28

1 more easily access public rights of way. Switch Business Solutions rarely if ever has  
2 contracted directly with customers and thus holds NO relevant documents to these  
3 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
4 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
5 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
6 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
7 Request fails to identify scope as to time or duration. The Request also fails to identify a  
8 requested form as such, any responsive documents (if any) will be produced or have been in  
9 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
10 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
11 regarding the same from Plaintiff. Defendant notes this Request could be construed to seek  
12 confidential third party data which is subject to the stipulated protective order. Switch has or  
13 will contact the third party(ies) identified above to ensure their rights are maintained under the  
14 stipulated protective order and to the extent Switch has any responsive documents Switch will  
15 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
16 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
17 waiving said objection: None at this time. Should any documents come to our attention, these  
18 will be produced for inspection pursuant to the terms of the protective order.

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21  
22 **REQUEST NO. 53:**

23 All DOCUMENTS CONCERNING the actual or prospective provision of colocation  
24 data center products or services by any colocation data center in LAS VEGAS, including  
25 without limitation SWITCH LAS VEGAS or COBALT CHEYENNE, to NETWORKX.

26  
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28 ///

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways and more easily access public rights of way. Switch Business Solutions rarely if ever has contracted directly with customers and thus holds NO relevant documents to these proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague, ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade secret, and/or work product material. Moreover, Defendant objects that the Request fails to identify scope as to time or duration. The Request also fails to identify a requested form as such, any responsive documents (if any) will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request once it receives additional clarity regarding the same from Plaintiff. Defendant notes this Request could be construed to seek confidential third party data which is subject to the stipulated protective order. Switch has or will contact the third party(ies) identified above to ensure their rights are maintained under the stipulated protective order and to the extent Switch has any responsive documents Switch will produce the same, if allowed, pursuant to the terms of the stipulated protective order. Discovery is ongoing and Defendant reserves the right to supplement this response. Without waiving said objection: Documents will be produced pursuant to the terms of the stipulated protective order.

**REQUEST NO. 54:**

1 All DOCUMENTS CONCERNING any COMMUNICATIONS between SWITCH  
2 and NETWORX CONCERNING the possibility that SWITCH might not or would not deal,  
3 in whole or part, with NETWORX if NETWORX dealt with COBALT.

4 **RESPONSE:**

5 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
6 a holding company that exists to hold Switch's certificate of public convenience with the  
7 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
8 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
9 ever has contracted directly with customers and thus holds NO relevant documents to these  
10 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
11 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
12 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
13 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
14 Request fails to identify scope as to time or duration. The Request also fails to identify a  
15 requested form as such, any responsive documents (if any) will be produced or have been in  
16 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
17 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
18 regarding the same from Plaintiff. Defendant notes this Request could be construed to seek  
19 confidential third party data which is subject to the stipulated protective order. Switch has or  
20 will contact the third party(ies) identified above to ensure their rights are maintained under the  
21 stipulated protective order and to the extent Switch has any responsive documents Switch will  
22 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
23 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
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1 waiving said objection: None at this time. Should any documents come to our attention, these  
2 will be produced for inspection pursuant to the terms of the protective order.

3 **REQUEST NO. 55:**

4 All DOCUMENTS CONCERNING any COMMUNICATIONS between SWITCH  
5 and NETWORX CONCERNING the possibility that SWITCH might not or would not  
6 provide NETWORX with connections to SWITCH LAS VEGAS if NETWORX dealt with  
7 COBALT.  
8

9 **RESPONSE:**

10 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
11 a holding company that exists to hold Switch's certificate of public convenience with the  
12 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
13 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
14 ever has contracted directly with customers and thus holds NO relevant documents to these  
15 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
16 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
17 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
18 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
19 Request fails to identify scope as to time or duration. The Request also fails to identify a  
20 requested form as such, any responsive documents (if any) will be produced or have been in  
21 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
22 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
23 regarding the same from Plaintiff. Defendant notes this Request could be construed to seek  
24 confidential third party data which is subject to the stipulated protective order. Switch has or  
25 will contact the third party(ies) identified above to ensure their rights are maintained under the  
26  
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1 stipulated protective order and to the extent Switch has any responsive documents Switch will  
2 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
3 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
4 waiving said objection: None at this time. Should any documents come to our attention, these  
5 will be produced for inspection pursuant to the terms of the protective order.  
6

7 **REQUEST NO. 56:**

8 All DOCUMENTS CONCERNING both NETWORKX and COBALT.

9 **RESPONSE:**

10 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
11 a holding company that exists to hold Switch's certificate of public convenience with the  
12 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
13 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
14 ever has contracted directly with customers and thus holds NO relevant documents to these  
15 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
16 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
17 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
18 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
19 Request fails to identify scope as to time or duration. The Request also fails to identify a  
20 requested form as such, any responsive documents (if any) will be produced or have been in  
21 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
22 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
23 regarding the same from Plaintiff. Defendant notes this Request could be construed to seek  
24 confidential third party data which is subject to the stipulated protective order. Switch has or  
25 will contact the third party(ies) identified above to ensure their rights are maintained under the  
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1 stipulated protective order and to the extent Switch has any responsive documents Switch will  
2 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
3 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
4 waiving said objection: any documents in existence will be produced pursuant to the terms of  
5 the stipulated protective order.  
6

7 **REQUEST NO. 57:**

8 All DOCUMENTS CONCERNING the actual or prospective provision of colocation  
9 data center products or services by any colocation data center in LAS VEGAS, including  
10 without limitation SWITCH LAS VEGAS or COBALT CHEYENNE, to YORBA LINDA  
11 WATER DISTRICT.  
12

13 **RESPONSE:**

14 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
15 a holding company that exists to hold Switch's certificate of public convenience with the  
16 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
17 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
18 ever has contracted directly with customers and thus holds NO relevant documents to these  
19 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
20 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
21 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
22 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
23 Request fails to identify scope as to time or duration. The Request also fails to identify a  
24 requested form as such, any responsive documents (if any) will be produced or have been in  
25 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
26 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
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1 regarding the same from Plaintiff. Defendant notes this Request could be construed to seek  
2 confidential third party data which is subject to the stipulated protective order. Switch has or  
3 will contact the third party(ies) identified above to ensure their rights are maintained under the  
4 stipulated protective order and to the extent Switch has any responsive documents Switch will  
5 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
6 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
7 waiving said objection: Documents will be produced pursuant to the terms of the stipulated  
8 protective order.  
9

10 **REQUEST NO. 58:**

11 All DOCUMENTS CONCERNING any COMMUNICATIONS between SWITCH  
12 and YORBA LINDA WATER DISTRICT CONCERNING the possibility that SWITCH  
13 might not or would not deal, in whole or part, with YORBA LINDA WATER DISTRICT if  
14 YORBA LINDA WATER DISTRICT dealt with COBALT.  
15

16 **RESPONSE:**

17 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
18 a holding company that exists to hold Switch's certificate of public convenience with the  
19 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
20 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
21 ever has contracted directly with customers and thus holds NO relevant documents to these  
22 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
23 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
24 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
25 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
26 Request fails to identify scope as to time or duration. The Request also fails to identify a  
27  
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1 requested form as such, any responsive documents (if any) will be produced or have been in  
2 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
3 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
4 regarding the same from Plaintiff. Defendant notes this Request could be construed to seek  
5 confidential third party data which is subject to the stipulated protective order. Switch has or  
6 will contact the third party(ies) identified above to ensure their rights are maintained under the  
7 stipulated protective order and to the extent Switch has any responsive documents Switch will  
8 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
9 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
10 waiving said objection: None at this time. Should any documents come to our attention, these  
11 will be produced for inspection pursuant to the terms of the protective order.  
12

13  
14 **REQUEST NO. 59:**

15 All DOCUMENTS CONCERNING any COMMUNICATIONS between SWITCH  
16 and YORBA LINDA WATER DISTRICT CONCERNING the possibility that SWITCH  
17 might not or would not provide YORBA LINDA WATER DISTRICT with connections to  
18 SWITCH LAS VEGAS if YORBA LINDA WATER DISTRICT dealt with COBALT.  
19

20 **RESPONSE:**

21 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
22 a holding company that exists to hold Switch's certificate of public convenience with the  
23 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
24 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
25 ever has contracted directly with customers and thus holds NO relevant documents to these  
26 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
27 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
28

1 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
2 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
3 Request fails to identify scope as to time or duration. The Request also fails to identify a  
4 requested form as such, any responsive documents (if any) will be produced or have been in  
5 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
6 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
7 regarding the same from Plaintiff. Defendant notes this Request could be construed to seek  
8 confidential third party data which is subject to the stipulated protective order. Switch has or  
9 will contact the third party(ies) identified above to ensure their rights are maintained under the  
10 stipulated protective order and to the extent Switch has any responsive documents Switch will  
11 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
12 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
13 waiving said objection: None at this time. Should any documents come to our attention, these  
14 will be produced for inspection pursuant to the terms of the protective order.

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16  
17 **REQUEST NO. 60:**

18 All DOCUMENTS CONCERNING both YORBA LINDA WATER DISTRICT and  
19 COBALT.  
20

21 **RESPONSE:**

22 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a  
23 holding company that exists to hold Switch's certificate of public convenience with the Public  
24 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
25 more easily access public rights of way. Switch Business Solutions rarely if ever has  
26 contracted directly with customers and thus holds NO relevant documents to these  
27 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
28

1 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
2 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
3 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
4 Request fails to identify scope as to time or duration. The Request also fails to identify a  
5 requested form as such, any responsive documents (if any) will be produced or have been in  
6 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
7 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
8 regarding the same from Plaintiff. Defendant notes this Request could be construed to seek  
9 confidential third party data which is subject to the stipulated protective order. Switch has or  
10 will contact the third party(ies) identified above to ensure their rights are maintained under the  
11 stipulated protective order and to the extent Switch has any responsive documents Switch will  
12 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
13 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
14 waiving said objection: None at this time. Should any documents come to our attention, these  
15 will be produced for inspection pursuant to the terms of the protective order.  
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19 **REQUEST NO. 61:**

20 All DOCUMENTS CONCERNING any contracts, agreements, joint ventures,  
21 partnerships, or understandings, whether formal or informal, between SWITCH and ZAYO.

22 **RESPONSE:**

23 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
24 a holding company that exists to hold Switch's certificate of public convenience with the  
25 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
26 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
27 ever has contracted directly with customers and thus holds NO relevant documents to these  
28

1 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
2 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
3 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
4 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
5 Request fails to identify scope as to time or duration. The Request also fails to identify a  
6 requested form as such, any responsive documents (if any) will be produced or have been in  
7 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
8 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
9 regarding the same from Plaintiff. Defendant notes this Request could be construed to seek  
10 confidential third party data which is subject to the stipulated protective order. Switch has or  
11 will contact the third party(ies) identified above to ensure their rights are maintained under the  
12 stipulated protective order and to the extent Switch has any responsive documents Switch will  
13 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
14 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
15 waiving said objection: Documents will be produced pursuant to the terms of the stipulated  
16 protective order.  
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20 **REQUEST NO. 62:**

21 All DOCUMENTS CONCERNING both ZAYO and COBALT.

22 **RESPONSE:**

23 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a  
24 holding company that exists to hold Switch's certificate of public convenience with the Public  
25 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
26 more easily access public rights of way. Switch Business Solutions rarely if ever has  
27 contracted directly with customers and thus holds NO relevant documents to these  
28

1 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
2 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
3 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
4 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
5 Request fails to identify scope as to time or duration. The Request also fails to identify a  
6 requested form as such, any responsive documents (if any) will be produced or have been in  
7 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
8 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
9 regarding the same from Plaintiff. Defendant notes this Request could be construed to seek  
10 confidential third party data which is subject to the stipulated protective order. Switch has or  
11 will contact the third party(ies) identified above to ensure their rights are maintained under the  
12 stipulated protective order and to the extent Switch has any responsive documents Switch will  
13 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
14 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
15 waiving said objection: Documents will be produced pursuant to the terms of the stipulated  
16 protective order.  
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20 **REQUEST NO. 63:**

21 All DOCUMENTS CONCERNING any contracts, agreements, joint ventures,  
22 partnerships, or understandings, whether formal or informal, between SWITCH and  
23 CENTURYLINK.

24 **RESPONSE:**

25 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a  
26 holding company that exists to hold Switch's certificate of public convenience with the Public  
27 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
28

1 more easily access public rights of way. Switch Business Solutions rarely if ever has  
2 contracted directly with customers and thus holds NO relevant documents to these  
3 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
4 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
5 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
6 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
7 Request fails to identify scope as to time or duration. The Request also fails to identify a  
8 requested form as such, any responsive documents (if any) will be produced or have been in  
9 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
10 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
11 regarding the same from Plaintiff. Defendant notes this Request could be construed to seek  
12 confidential third party data which is subject to the stipulated protective order. Switch has or  
13 will contact the third party(ies) identified above to ensure their rights are maintained under the  
14 stipulated protective order and to the extent Switch has any responsive documents Switch will  
15 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
16 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
17 waiving said objection: Documents will be produced pursuant to the terms of the stipulated  
18 protective order.

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22 **REQUEST NO. 64:**

23 All DOCUMENTS CONCERNING both CENTURYLINK and COBALT.

24 **RESPONSE:**

25 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
26 a holding company that exists to hold Switch's certificate of public convenience with the  
27 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
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1 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
2 ever has contracted directly with customers and thus holds NO relevant documents to these  
3 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
4 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
5 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
6 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
7 Request fails to identify scope as to time or duration. The Request also fails to identify a  
8 requested form as such, any responsive documents (if any) will be produced or have been in  
9 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
10 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
11 regarding the same from Plaintiff. Defendant notes this Request could be construed to seek  
12 confidential third party data which is subject to the stipulated protective order. Switch has or  
13 will contact the third party(ies) identified above to ensure their rights are maintained under the  
14 stipulated protective order and to the extent Switch has any responsive documents Switch will  
15 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
16 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
17 waiving said objection: Documents will be produced pursuant to the terms of the stipulated  
18 protective order.

19  
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21  
22 **REQUEST NO. 65:**

23 All DOCUMENTS CONCERNING any contracts, agreements, joint ventures,  
24 partnerships, or understandings, whether formal or informal, between SWITCH and  
25 SILVERBACK.  
26

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**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways and more easily access public rights of way. Switch Business Solutions rarely if ever has contracted directly with customers and thus holds NO relevant documents to these proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague, ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade secret, and/or work product material. Moreover, Defendant objects that the Request fails to identify scope as to time or duration. The Request also fails to identify a requested form as such, any responsive documents (if any) will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request once it receives additional clarity regarding the same from Plaintiff. Defendant notes this Request could be construed to seek confidential third party data which is subject to the stipulated protective order. Switch has or will contact the third party(ies) identified above to ensure their rights are maintained under the stipulated protective order and to the extent Switch has any responsive documents Switch will produce the same, if allowed, pursuant to the terms of the stipulated protective order. Discovery is ongoing and Defendant reserves the right to supplement this response. Without waiving said objection: Documents will be produced pursuant to the terms of the stipulated protective order.

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1           **REQUEST NO. 66:**

2           All DOCUMENTS CONCERNING both SILVERBACK and COBALT.

3           **RESPONSE:**

4           Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
5 a holding company that exists to hold Switch's certificate of public convenience with the  
6 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
7 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
8 ever has contracted directly with customers and thus holds NO relevant documents to these  
9 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
10 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
11 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
12 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
13 Request fails to identify scope as to time or duration. The Request also fails to identify a  
14 requested form as such, any responsive documents (if any) will be produced or have been in  
15 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
16 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
17 regarding the same from Plaintiff. Defendant notes this Request could be construed to seek  
18 confidential third party data which is subject to the stipulated protective order. Switch has or  
19 will contact the third party(ies) identified above to ensure their rights are maintained under the  
20 stipulated protective order and to the extent Switch has any responsive documents Switch will  
21 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
22 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
23 waiving said objection: None at this time. Should any documents come to our attention, these  
24 will be produced for inspection pursuant to the terms of the protective order.  
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**REQUEST NO. 67:**

All DOCUMENTS CONCERNING competition between SWITCH LAS VEGAS and any other colocation data center.

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways and more easily access public rights of way. Switch Business Solutions rarely if ever has contracted directly with customers and thus holds NO relevant documents to these proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague, ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade secret, and/or work product material. Moreover, Defendant objects that the Request fails to identify scope as to time or duration. Moreover, this Request seeks information that is readily available from public sources. The Request also fails to identify a requested form as such, any responsive documents (if any) will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request once it receives additional clarity regarding the same from Plaintiff. Defendant notes this Request could be construed to seek confidential third party data which is subject to the stipulated protective order. Switch has or will contact the third party(ies) identified above to ensure their rights are maintained under the stipulated protective order and to the extent Switch has any responsive documents Switch will produce the same, if allowed, pursuant to the terms of the stipulated protective order. Discovery is ongoing and Defendant reserves the right to supplement this response. Without

1 waiving said objection: Documents will be produced pursuant to the terms of the stipulated  
2 protective order.

3 **REQUEST NO. 68:**

4 All DOCUMENTS reflecting or evidencing the market or markets in which SWITCH  
5 LAS VEGAS competes.  
6

7 **RESPONSE:**

8 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
9 a holding company that exists to hold Switch's certificate of public convenience with the  
10 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
11 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
12 ever has contracted directly with customers and thus holds NO relevant documents to these  
13 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
14 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
15 ambiguous, overbroad, and unduly burdensome. Moreover, Defendant objects that the  
16 Request fails to identify scope as to time or duration. The Request also fails to identify a  
17 requested form as such, any responsive documents (if any) will be produced or have been in  
18 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
19 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
20 regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to  
21 supplement this response. Without waiving said objection see Defendant's Initial Disclosure  
22 documents, specifically SWITCH000299-317, 497, 724-733.  
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**REQUEST NO. 69:**

All DOCUMENTS that compare or contrast co location data centers that offer concurrent maintainability (i.e., continuous uptime) with colocation data centers that do not offer concurrent maintainability.

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways and more easily access public rights of way. Switch Business Solutions rarely if ever has contracted directly with customers and thus holds NO relevant documents to these proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague, ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade secret, and/or work product material. Moreover, Defendant objects that the Request fails to identify scope as to time or duration. The Request also fails to identify a requested form as such, any responsive documents (if any) will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request once it receives additional clarity regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement this response. Without waiving said objection: None at this time. Should any documents come to our attention, these will be produced for inspection pursuant to the terms of the protective order.

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**REQUEST NO. 70:**

All DOCUMENTS that compare or contrast colocation data centers with at least N+ 1 REDUNDANCIES with colocation data centers without at least N+ 1 REDUNDANCIES.

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways and more easily access public rights of way. Switch Business Solutions rarely if ever has contracted directly with customers and thus holds NO relevant documents to these proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague, ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade secret, and/or work product material. Moreover, Defendant objects that the Request fails to identify scope as to time or duration. The Request also fails to identify a requested form as such, any responsive documents (if any) will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request once it receives additional clarity regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement this response. Without waiving said objection: None at this time. Should any documents come to our attention, these will be produced for inspection pursuant to the terms of the protective order.

**REQUEST NO. 71:**

All DOCUMENTS that compare or contrast colocation data centers with greater than N+ 1 REDUNDANCIES with colocation data centers with N+ 1 REDUNDANCIES or less.

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways and more easily access public rights of way. Switch Business Solutions rarely if ever has contracted directly with customers and thus holds NO relevant documents to these proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague, ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade secret, and/or work product material. Moreover, Defendant objects that the Request fails to identify scope as to time or duration. The Request also fails to identify a requested form as such, any responsive documents (if any) will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request once it receives additional clarity regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement this response. Without waiving said objection: None at this time. Should any documents come to our attention, these will be produced for inspection pursuant to the terms of the protective order.

**REQUEST NO. 72:**

All DOCUMENTS that compare or contrast SWITCH LAS VEGAS and COBALT CHEYENNE.

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the



1 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
2 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
3 ever has contracted directly with customers and thus holds NO relevant documents to these  
4 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
5 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
6 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
7 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
8 Request fails to identify scope as to time or duration. The Request also fails to identify a  
9 requested form as such, any responsive documents (if any) will be produced or have been in  
10 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
11 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
12 regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to  
13 supplement this response. Defendant notes this Request could be construed to seek  
14 confidential third party data which is subject to the stipulated protective order. Switch has or  
15 will contact the third party(ies) identified above to ensure their rights are maintained under the  
16 stipulated protective order and to the extent Switch has any responsive documents Switch will  
17 produce the same, if allowed, pursuant to the terms of the stipulated protective order. Without  
18 waiving said objection: None at this time. Should any documents come to our attention, these  
19 will be produced for inspection pursuant to the terms of the protective order.

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23 **REQUEST NO. 73:**

24 All DOCUMENTS that compare or contrast SWITCH LAS VEGAS and VIA WEST  
25 LAS VEGAS.

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**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways and more easily access public rights of way. Switch Business Solutions rarely if ever has contracted directly with customers and thus holds NO relevant documents to these proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague, ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade secret, and/or work product material. Moreover, Defendant objects that the Request fails to identify scope as to time or duration. The Request also fails to identify a requested form as such, any responsive documents (if any) will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request once it receives additional clarity regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement this response. Defendant notes this Request could be construed to seek confidential third party data which is subject to the stipulated protective order. Switch has or will contact the third party(ies) identified above to ensure their rights are maintained under the stipulated protective order and to the extent Switch has any responsive documents Switch will produce the same, if allowed, pursuant to the terms of the stipulated protective order. Discovery is ongoing and Defendant reserves the right to supplement this response. Without waiving said objection: None at this time. Should any documents come to our attention, these will be produced for inspection pursuant to the terms of the protective order.

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**REQUEST NO. 74:**

All DOCUMENTS that compare or contrast SWITCH LAS VEGAS and any other colocation data center in LAS VEGAS.

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways and more easily access public rights of way. Switch Business Solutions rarely if ever has contracted directly with customers and thus holds NO relevant documents to these proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague, ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for confidential, trade secret, and/or work product material. Moreover, Defendant objects that the Request fails to identify scope as to time or duration. The Request also fails to identify a requested form as such, any responsive documents (if any) will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request once it receives additional clarity regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement this response. Defendant notes this Request could be construed to seek confidential third party data which is subject to the stipulated protective order. Switch has or will contact the third party(ies) identified above to ensure their rights are maintained under the stipulated protective order and to the extent Switch has any responsive documents Switch will produce the same, if allowed, pursuant to the terms of the stipulated protective order. Discovery is ongoing and Defendant reserves the right to supplement this response. Without

1 waiving said objection: None at this time. Should any documents come to our attention, these  
2 will be produced for inspection pursuant to the terms of the protective order.

3 **REQUEST NO. 75:**

4 All DOCUMENTS CONCERNING any LAS VEGAS colocation data center market.

5 **RESPONSE:**

6  
7 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
8 a holding company that exists to hold Switch's certificate of public convenience with the  
9 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
10 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
11 ever has contracted directly with customers and thus holds NO relevant documents to these  
12 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
13 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
14 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
15 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
16 Request fails to identify scope as to time or duration. The Request also fails to identify a  
17 requested form as such, any responsive documents (if any) will be produced or have been in  
18 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
19 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
20 regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to  
21 supplement this response. Defendant notes this Request could be construed to seek  
22 confidential third party data which is subject to the stipulated protective order. Switch has or  
23 will contact the third party(ies) identified above to ensure their rights are maintained under the  
24 stipulated protective order and to the extent Switch has any responsive documents Switch will  
25 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
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1 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
2 waiving said objection Switch will respond to the best of its ability given the vague nature of  
3 the question: See Defendant's Initial Disclosure documents, specifically SWITCH003826.

4 **REQUEST NO. 76:**

5 All DOCUMENTS that compare or contrast colocation data centers in LAS VEGAS  
6 with colocation data centers outside LAS VEGAS.

7 **RESPONSE:**

8 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
9 a holding company that exists to hold Switch's certificate of public convenience with the  
10 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
11 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
12 ever has contracted directly with customers and thus holds NO relevant documents to these  
13 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
14 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
15 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
16 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
17 Request fails to identify scope as to time or duration. The Request also fails to identify a  
18 requested form as such, any responsive documents (if any) will be produced or have been in  
19 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
20 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
21 regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to  
22 supplement this response. Defendant notes this Request could be construed to seek  
23 confidential third party data which is subject to the stipulated protective order. Switch has or  
24 will contact the third party(ies) identified above to ensure their rights are maintained under the  
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1 stipulated protective order and to the extent Switch has any responsive documents Switch will  
2 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
3 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
4 waiving said objection Switch will respond to the best of its ability given the vague nature of  
5 the question: See Defendant's Initial Disclosure documents, specifically SWITCH000495.  
6

7 **REQUEST NO. 77:**

8 All DOCUMENTS that compare or contrast colocation data center prices in LAS  
9 VEGAS with colocation data center prices outside LAS VEGAS.

10 **RESPONSE:**

11 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a  
12 holding company that exists to hold Switch's certificate of public convenience with the Public  
13 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
14 more easily access public rights of way. Switch Business Solutions rarely if ever has  
15 contracted directly with customers and thus holds NO relevant documents to these  
16 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
17 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
18 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
19 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
20 Request fails to identify scope as to time or duration. The Request also fails to identify a  
21 requested form as such, any responsive documents (if any) will be produced or have been in  
22 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
23 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
24 regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to  
25 supplement this response. Defendant notes this Request could be construed to seek  
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1 confidential third party data which is subject to the stipulated protective order. Switch has or  
2 will contact the third party(ies) identified above to ensure their rights are maintained under the  
3 stipulated protective order and to the extent Switch has any responsive documents Switch will  
4 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
5 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
6 waiving said objection: None at this time. Should any documents come to our attention, these  
7 will be produced for inspection pursuant to the terms of the protective order.  
8

9 **REQUEST NO. 78:**

10 All DOCUMENTS that compare or contrast LAS VEGAS with any other region of the  
11 United States in terms of their fitness or candidacy for data colocation.  
12

13 **RESPONSE:**

14 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
15 a holding company that exists to hold Switch's certificate of public convenience with the  
16 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
17 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
18 ever has contracted directly with customers and thus holds NO relevant documents to these  
19 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
20 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
21 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
22 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
23 Request fails to identify scope as to time or duration. The Request also fails to identify a  
24 requested form as such, any responsive documents (if any) will be produced or have been in  
25 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
26 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
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1 regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to  
2 supplement this response. Defendant notes this Request could be construed to seek  
3 confidential third party data which is subject to the stipulated protective order. Switch has or  
4 will contact the third party(ies) identified above to ensure their rights are maintained under the  
5 stipulated protective order and to the extent Switch has any responsive documents Switch will  
6 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
7 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
8 waiving said objection Switch will respond to the best of its ability given the vague nature of  
9 the question: See Defendant's Initial Disclosure documents, specifically SWITCH000495.  
10

11 **REQUEST NO. 79:**

12 All DOCUMENTS CONCERNING any "U.S. safety zone."  
13

14 **RESPONSE:**

15 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a  
16 holding company that exists to hold Switch's certificate of public convenience with the Public  
17 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
18 more easily access public rights of way. Switch Business Solutions rarely if ever has  
19 contracted directly with customers and thus holds NO relevant documents to these  
20 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
21 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
22 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
23 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
24 Request fails to identify scope as to time or duration. The Request also fails to identify a  
25 requested form as such, any responsive documents (if any) will be produced or have been in  
26 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
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1 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
2 regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to  
3 supplement this response. Defendant notes this Request could be construed to seek  
4 confidential third party data which is subject to the stipulated protective order. Switch has or  
5 will contact the third party(ies) identified above to ensure their rights are maintained under the  
6 stipulated protective order and to the extent Switch has any responsive documents Switch will  
7 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
8 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
9 waiving said objection Switch will respond to the best of its ability given the vague nature of  
10 the question: See Defendant's Initial Disclosure documents, specifically SWITCH000495.  
11

12  
13 **REQUEST NO. 80:**

14 All DOCUMENTS CONCERNING SWITCH LAS VEGAS's marketing materials,  
15 including but not limited to brochures, slide presentations, and sales pitches.

16 **RESPONSE:**

17 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a  
18 holding company that exists to hold Switch's certificate of public convenience with the Public  
19 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
20 more easily access public rights of way. Switch Business Solutions rarely if ever has  
21 contracted directly with customers and thus holds NO relevant documents to these  
22 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
23 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
24 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
25 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
26 Request fails to identify scope as to time or duration. The Request also fails to identify a  
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1 requested form as such, any responsive documents (if any) will be produced or have been in  
2 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
3 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
4 regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to  
5 supplement this response. Defendant notes this Request could be construed to seek  
6 confidential third party data which is subject to the stipulated protective order. Switch has or  
7 will contact the third party(ies) identified above to ensure their rights are maintained under the  
8 stipulated protective order and to the extent Switch has any responsive documents Switch will  
9 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
10 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
11 waiving said objection Switch will respond to the best of its ability given the vague and  
12 overbroad nature of the question: See Defendant's Initial Disclosure documents, specifically  
13 SWITCH000509-522, SWITCH003792-3825, SWITCH003832-3827. Additional documents  
14 may be disclosed pursuant to the protective order.

17 **REQUEST NO. 81:**

18 DOCUMENTS sufficient to show customers or prospective customers of SWITCH  
19 LAS VEGAS that considered giving their business to other data centers outside LAS VEGAS.

20 **RESPONSE:**

21 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
22 a holding company that exists to hold Switch's certificate of public convenience with the  
23 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
24 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
25 ever has contracted directly with customers and thus holds NO relevant documents to these  
26 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
27  
28

1 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
2 ambiguous, overbroad, and unduly burdensome. In addition, this Request calls for  
3 confidential, trade secret, and/or work product material. Moreover, Defendant objects that the  
4 Request fails to identify scope as to time or duration. The Request also fails to identify a  
5 requested form as such, any responsive documents (if any) will be produced or have been in  
6 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
7 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
8 regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to  
9 supplement this response. Defendant notes this Request could be construed to seek  
10 confidential third party data which is subject to the stipulated protective order. Switch has or  
11 will contact the third party(ies) identified above to ensure their rights are maintained under the  
12 stipulated protective order and to the extent Switch has any responsive documents Switch will  
13 produce the same, if allowed, pursuant to the terms of the stipulated protective order.  
14 Discovery is ongoing and Defendant reserves the right to supplement this response. Without  
15 waiving said objection: Documents will be produced pursuant to the terms of the stipulated  
16 protective order.

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19  
20 **REQUEST NO. 82:**

21 All DOCUMENTS CONCERNING the factors customers consider in deciding where  
22 to co-locate their data.

23 **RESPONSE:**

24 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
25 a holding company that exists to hold Switch's certificate of public convenience with the  
26 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
27 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
28

1 ever has contracted directly with customers and thus holds NO relevant documents to these  
2 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
3 is based on documents disclosed by Switch Ltd. Objection, this Request calls for speculation,  
4 is compound, vague, ambiguous, overbroad, and unduly burdensome. In addition, this Request  
5 calls for confidential, trade secret, and/or work product material. Moreover, Defendant objects  
6 that the Request fails to identify scope as to time or duration. The Request also fails to  
7 identify a requested form as such, any responsive documents (if any) will be produced or have  
8 been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E).  
9 Notwithstanding the foregoing, Plaintiff will further respond to this Request once it receives  
10 additional clarity regarding the same from Plaintiff. Discovery is ongoing and Defendant  
11 reserves the right to supplement this response. Defendant notes this Request could be  
12 construed to seek confidential third party data which is subject to the stipulated protective  
13 order. Switch has or will contact the third party(ies) identified above to ensure their rights are  
14 maintained under the stipulated protective order and to the extent Switch has any responsive  
15 documents Switch will produce the same, if allowed, pursuant to the terms of the stipulated  
16 protective order. Discovery is ongoing and Defendant reserves the right to supplement this  
17 response. Without waiving said objection: Documents will be produced pursuant to the terms  
18 of the stipulated protective order.

21  
22 **REQUEST NO. 83:**

23 All DOCUMENTS CONCERNING the factors customers consider in deciding which  
24 colocation data center to use.

25  
26 **RESPONSE:**

27 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
28 a holding company that exists to hold Switch's certificate of public convenience with the

1 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
2 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
3 ever has contracted directly with customers and thus holds NO relevant documents to these  
4 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
5 is based on documents disclosed by Switch Ltd. Objection, this Request is duplicative, calls  
6 for speculation, is compound, vague, ambiguous, overbroad, and unduly burdensome. In  
7 addition, this Request calls for confidential, trade secret, and/or work product material.  
8 Moreover, Defendant objects that the Request fails to identify scope as to time or duration.  
9 The Request also fails to identify a requested form as such, any responsive documents (if any)  
10 will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and  
11 RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request  
12 once it receives additional clarity regarding the same from Plaintiff. Discovery is ongoing and  
13 Defendant reserves the right to supplement this response. Defendant notes this Request could  
14 be construed to seek confidential third party data which is subject to the stipulated protective  
15 order. Switch has or will contact the third party(ies) identified above to ensure their rights are  
16 maintained under the stipulated protective order and to the extent Switch has any responsive  
17 documents Switch will produce the same, if allowed, pursuant to the terms of the stipulated  
18 protective order. Discovery is ongoing and Defendant reserves the right to supplement this  
19 response. Without waiving said objection: See Response to Request for Production No. 82.  
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**REQUEST NO. 84:**

All DOCUMENTS CONCERNING the costs of moving equipment from one data center to another.

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways and more easily access public rights of way. Switch Business Solutions rarely if ever has contracted directly with customers and thus holds NO relevant documents to these proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response is based on documents disclosed by Switch Ltd. Objection, this Request calls for speculation, is compound, vague, ambiguous, overbroad, unduly burdensome and Requests documents not in the possession of Defendant. In addition, this Request calls for confidential, trade secret, and/or work product material. Moreover, Defendant objects that the Request fails to identify scope as to time or duration. The Request also fails to identify a requested form as such, any responsive documents (if any) will be produced or have been in OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff will further respond to this Request once it receives additional clarity regarding the same from Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement this response. Defendant notes this Request could be construed to seek confidential third party data which is subject to the stipulated protective order. Switch has or will contact the third party(ies) identified above to ensure their rights are maintained under the stipulated protective order and to the extent Switch has any responsive documents Switch will produce the same, if allowed, pursuant to the terms of the stipulated protective order. Discovery is ongoing and Defendant

1 reserves the right to supplement this response. Without waiving said objection: Defendant  
2 does not move equipment for clients from one data center to another.

3 **REQUEST NO. 85:**

4 All DOCUMENTS CONCERNING the costs of switching colocation data center  
5 providers.  
6

7 **RESPONSE:**

8 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a  
9 holding company that exists to hold Switch's certificate of public convenience with the Public  
10 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
11 more easily access public rights of way. Switch Business Solutions rarely if ever has  
12 contracted directly with customers and thus holds NO relevant documents to these  
13 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
14 is based on documents disclosed by Switch Ltd. Objection, this Request calls for speculation,  
15 is compound, vague, ambiguous, overbroad, unduly burdensome and Requests documents not  
16 in the possession of Defendant. In addition, this Request calls for confidential, trade secret,  
17 and/or work product material. Moreover, Defendant objects that the Request fails to identify  
18 scope as to time or duration. The Request also fails to identify a requested form as such, any  
19 responsive documents (if any) will be produced or have been in OCR (readable) PDF  
20 consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff  
21 will further respond to this Request once it receives additional clarity regarding the same from  
22 Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement this response.  
23 Defendant notes this Request could be construed to seek confidential third party data which is  
24 subject to the stipulated protective order. Switch has or will contact the third party(ies)  
25 identified above to ensure their rights are maintained under the stipulated protective order and  
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1 to the extent Switch has any responsive documents Switch will produce the same, if allowed,  
2 pursuant to the terms of the stipulated protective order. Discovery is ongoing and Defendant  
3 reserves the right to supplement this response. Without waiving said objection: Given the  
4 vague and ambiguous nature of the question Defendant will respond to the best of its ability,  
5 Defendant does not move equipment for clients from one data center to another.  
6

7 **REQUEST NO. 86:**

8 All DOCUMENTS CONCERNING SWITCH LAS VEGAS's share of any market.

9 **RESPONSE:**

10 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is  
11 a holding company that exists to hold Switch's certificate of public convenience with the  
12 Public Utilities Commission of Nevada so that Switch may trench telecommunication  
13 pathways and more easily access public rights of way. Switch Business Solutions rarely if  
14 ever has contracted directly with customers and thus holds NO relevant documents to these  
15 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
16 is based on documents disclosed by Switch Ltd. Objection, this Request calls for speculation,  
17 is compound, vague, ambiguous, overbroad, unduly burdensome and Requests documents not  
18 in the possession of Defendant. In addition, this Request calls for confidential, trade secret,  
19 and/or work product material. Moreover, Defendant objects that the Request fails to identify  
20 scope as to time or duration. The Request also fails to identify a requested form as such, any  
21 responsive documents (if any) will be produced or have been in OCR (readable) PDF  
22 consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the foregoing, Plaintiff  
23 will further respond to this Request once it receives additional clarity regarding the same from  
24 Plaintiff. Discovery is ongoing and Defendant reserves the right to supplement this response.  
25  
26  
27  
28 Discovery is ongoing and Defendant reserves the right to supplement this response. Without



1 waiving said objection: Given the vague nature of the question, Switch has produced the  
2 following responsive documents, see Defendant's Initial Disclosure documents, specifically  
3 SWITCH000054-000297.

4 **REQUEST NO. 87:**

5 All DOCUMENTS CONCERNING SWITCH LAS VEGAS's power to control prices  
6 or exclude competition in any market.

7 **RESPONSE:**

8 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a  
9 holding company that exists to hold Switch's certificate of public convenience with the Public  
10 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
11 more easily access public rights of way. Switch Business Solutions rarely if ever has  
12 contracted directly with customers and thus holds NO relevant documents to these  
13 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
14 is based on documents disclosed by Switch Ltd. Objection, this Request lacks foundation and  
15 Defendant rejects the premise of this request. In addition this Request is vague, ambiguous,  
16 overbroad, and unduly burdensome. Moreover, Defendant objects that the Request fails to  
17 identify scope as to time or duration. Defendant is unable to respond to this Request as no  
18 documents of this nature exist. Discovery is ongoing and Defendant reserves the right to  
19 supplement this response.

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1           **REQUEST NO. 88:**

2           All DOCUMENTS CONCERNING barriers to entering any colocation data center  
3 market(s) in which SWITCH LAS VEGAS operates.

4           **RESPONSE:**

5           Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a  
6 holding company that exists to hold Switch's certificate of public convenience with the Public  
7 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
8 more easily access public rights of way. Switch Business Solutions rarely if ever has  
9 contracted directly with customers and thus holds NO relevant documents to these  
10 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
11 is based on documents disclosed by Switch Ltd. Objection, this Request lacks foundation and  
12 Defendant rejects the premise of this request. In addition this Request is vague, ambiguous,  
13 overbroad, and unduly burdensome. Defendant is unable to respond to this Request as no  
14 documents of this nature exist. Discovery is ongoing and Defendant reserves the right to  
15 supplement this response.  
16  
17

18           **REQUEST NO. 89:**

19           All DOCUMENTS CONCERNING paragraph 3 ("Mutual Release") and paragraph 4  
20 ("Release of all Claims") of the Settlement Agreement dated March 8, 2013 between Switch  
21 Communications Group, L.L.C., Switch Business Solutions, LLC, David Michael Ballard,  
22 Cobalt Data Centers, LLC, Cobalt Sahara, LLC, VS Technologies, LC, Vince Sandoval, and  
23 Paul Reynosa.  
24

25           ///  
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29

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways and more easily access public rights of way. Switch Business Solutions rarely if ever has contracted directly with customers and thus holds NO relevant documents to these proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague, ambiguous, overbroad, unduly burdensome and Requests documents not in the possession of Defendant. Discovery is ongoing and Defendant reserves the right to supplement this response. Without waiving said objection: See Defendant's Initial Disclosure documents, specifically SWITCH000785-797 and SWITCH000842-937.

**REQUEST NO. 90:**

DOCUMENTS sufficient to show YOUR organizational structure, including without limitation all parents and subsidiaries.

**RESPONSE:**

Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd. The entity is a holding company that exists to hold Switch's certificate of public convenience with the Public Utilities Commission of Nevada so that Switch may trench telecommunication pathways. It does not engage in competitive activities and thus holds documents relevant to these proceedings. This Response is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague, ambiguous, overbroad, and unduly burdensome. Moreover, Defendant objects that the Request fails to identify scope as to time or duration. Without

1 waiving said objection, see Defendant's Initial Disclosure documents, specifically  
2 SWITCH000053 and SWITCH000054-000297.

3 **REQUEST NO. 91:**

4 DOCUMENTS sufficient to identify each of YOUR officers, directors, and  
5 employees, and their titles and roles, from January 1, 2011 to the present.  
6

7 **RESPONSE:**

8 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a  
9 holding company that exists to hold Switch's certificate of public convenience with the Public  
10 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
11 more easily access public rights of way. Switch Business Solutions rarely if ever has  
12 contracted directly with customers and thus holds NO relevant documents to these  
13 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
14 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
15 ambiguous, overbroad, and unduly burdensome. Without waiving said objection, see  
16 Defendant's Initial Disclosure documents, specifically SWITCH000054-000297 and  
17 SWITCH000298-000299.  
18  
19

20 **REQUEST NO. 92:**

21 DOCUMENTS sufficient to show YOUR document retention policy.

22 **RESPONSE:**

23 Switch Business Solutions is a wholly owned subsidiary of Switch, Ltd The entity is a  
24 holding company that exists to hold Switch's certificate of public convenience with the Public  
25 Utilities Commission of Nevada so that Switch may trench telecommunication pathways and  
26 more easily access public rights of way. Switch Business Solutions rarely if ever has  
27 contracted directly with customers and thus holds NO relevant documents to these  
28

1 proceedings independent of those produced by its affiliate entity, Switch, Ltd. This Response  
2 is based on documents disclosed by Switch Ltd. Objection, this Request is compound, vague,  
3 ambiguous, overbroad, and unduly burdensome. Moreover, Defendant objects that the  
4 Request fails to identify scope as to time or duration. The Request also fails to identify a  
5 requested form as such, any responsive documents (if any) will be produced or have been in  
6 OCR (readable) PDF consistent with RCP 34(b)(2)(D) and RFCP 24(E). Notwithstanding the  
7 foregoing, Plaintiff will further respond to this Request once it receives additional clarity  
8 regarding the same from Plaintiff.  
9

10 DATED this 9<sup>th</sup> day of April, 2018.  
11  
12

13 **SWITCH, LTD.**

14   
15 SAMUEL CASTOR, ESQ.

16 Nevada Bar No. 11532

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21 702-333-6566

22 sam@switch.com

23 abirk@switch.com

24 *Attorney for Defendants*  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I certify that I am an agent of Switch, Ltd., and that on the 9th day of April, 2018,  
I caused to be served true and correct copies of the above and foregoing **DEFENDANT,**  
**SWITCH BUSINESS SOLUTIONS, LLC's RESPONSES TO PLAINTIFF COBALT'S**  
**FIRST SET OF REQUESTS FOR PRODUCTION** to the following via electronic mail:

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Agent of SWITCH, LTD.